

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

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**WRIT PETITION NO : 23878 of 2004**

**Between:**

Gummalla Veerraju, S/o. Padma Raju, Hindu,  
aged 55 years, R.T.C. Driver E-92270,

D.No. 3-254, Katheru, Konthamuru Road,

Rajahmundry Rural, East Godavari District.

**..... PETITIONER**

AND

1. Principal Secretary, Transport Department,  
Government of Andhra Pradesh, Secretariat,

Hyderabad.

2. Managing Director, A.P.S.R.T.C., Musheerabad,

Hyderabad.

3. Depot Manager, A.P.S.R.T.C., Rajahmundry,

East Godavari District.

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate Writ, order or direction, directing the respondents to take steps to implement the benefits given under the Notification No. PD-14/2003, dt. 8-10-2003 in pursuant to the amended Regulation 6-A (5) of Service Regulations dt. 28-7-2003 or in alternative the respondents may be directed

to implement the benefits given under the Persons with Disabilities (equal opportunities, protections of Rights and full participation) Act, 1995, to the petitioner herein and pass such other order or orders.

**Counsel for the Petitioner: MR.CH.DHANAMJAYA**

**Counsel for the Respondent No.1: GP FOR TRANSPORT**

**Counsel for the respondent Nos.2 & 3: Kum.B.G.Umadevi**

The Court made the following:

**ORDER:**

For not taking steps by the respondents to implement the benefits given under the Notification No.PD-14/2003 dated 08.10.2003, the present writ petition is filed.

2. Learned counsel for the petitioner contended that the amended Regulation 6A (5) of APSRTC employees (Service) Regulations 1964 providing better benefits to the medically unfit drivers has been approved by the Chair person, pending sanction of the Government, but they are not implemented. Aggrieved by the same, the present writ petition is filed.

3. Learned Standing Counsel for the respondents 2 and 3 contended that the Government has not sanctioned any amendment of regulation and therefore after approval of the Government only the said amendment of Regulation 6A (5) of Regulations 1964 would be given effect.

4. Perused the material papers on record. As per the notification No.PD-14/2003 dated 08.10.2003 the Board of the respondents 2 and 3 by its resolution No.128/2003 dated 28.7.2003 accorded approval for amending Regulation 6A (5) of APSRTC employees (Service) Regulations, 1964 providing better benefits to the medically unfit drivers. The Chair person accorded approval implementing the amended Regulation 6A(5) of the APSRTC employees (Service) Regulations, 1964 pending sanction of the Government.

5. As seen from the notification, it is also clear that the said amended regulation is notified in the annexure for implementation with immediate effect. Therefore, the respondents are bound to accept the amendment to give effect for implementation immediately. The respondents 1 and 2 are bound by the notification No.PD-14/2003 dated 08.10.2003. Therefore, the contention of the learned Standing Counsel for the respondents 2 and 3 cannot be accepted at all. Unless the Government has

approved the said amendment it cannot be given effect, but the purport of the proceedings dated 08.10.2003 would clearly indicate that the said amended regulation is notified and came into effect immediately.

6. Hence, the writ petition is allowed, directing the respondents to take further steps to implement the benefits given under the notification No.PD-14/2003 dated 08.10.2003. No costs.

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**K.C.BHANU,J.**

Date: 28<sup>th</sup> December 2004.

BSB

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Tuesday the 28<sup>th</sup> day of December two thousand and four.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Principal Secretary, Transport Department,  
Government of Andhra Pradesh, Secretariat,

Hyderabad.

2. The Managing Director, A.P.S.R.T.C., Musheerabad,

Hyderabad.

3. The Depot Manager, A.P.S.R.T.C., Rajahmundry,  
East Godavari District.

4. Two CCs to the Government Pleader for Transport, High Court of  
A.P., Hyderabad (OUT).

5. Two CD copies